

**ARRAIGNMENT/DETENTION MINUTES:**

Time Set: 2:00 p.m.  
Started: 2:02 pm  
Ended: 2:09 pm  
Split Time:  
Hearing Held: ( ) Norfolk ( ) Newport News  
Case Number: 2:20cr59  
Defendant: Brian Taylor Sumner

Date: 10/22/2020  
Presiding Judge: Douglas E. Miller  
Courtroom Deputy: C. Dodge  
Court Reporter: FTR/Zoom  
U.S. Attorney: Darryl Mitchell  
Defense Counsel: Jim Thuermer  
(X) Retained ( ) Court appointed ( ) AFD  
Interpreter:

**INITIAL APPEARANCE:**

- ( ) Indictment  
( ) Supervised Release  
( ) Probation  
( ) Pretrial Violation

**COUNSEL:**

- ( ) Court explained right to counsel  
( ) Counsel waived  
( ) Counsel desired.  
( ) Affidavit executed and filed in open court  
( ) Court directed appointment of counsel  
( ) Defendant ordered to pay \$ \_\_\_\_\_  
beginning \_\_\_\_\_ and each month thereafter  
until paid in full

**ARRAIGNMENT:**

- ( ) Defendant formally arraigned  
(X) Defendant waived formal arraignment  
( ) Defendant entered plea of guilty  
(X) Defendant entered plea of not guilty  
(X) Jury demanded  
( ) Jury Waived  
( ) Jury waiver executed and filed  
(X) Preliminary motions deadline 12/1/20  
( ) Response motions deadline \_\_\_\_\_  
(X) TRIAL ( ) SRVH ( ) PVH ( ) Status Conference set on 3/14/21 @ 10 am  
@ (X) Norfolk ( ) Newport News ( ) Richmond  
Before AWA

**APPEARANCE AT PRELIMINARY HEARING:**

- (X) Court inquired as to whether defendant wishes appear  
at preliminary hearing.  
( ) Waiver of Appearance executed  
( ) Arraignment: \_\_\_\_\_

- ( ) SRV/Probation Hearing: \_\_\_\_\_  
( ) \_\_\_\_\_  
( ) \_\_\_\_\_  
( ) \_\_\_\_\_

**SPEEDY TRIAL:**

- ( ) The defendant requested time to file pretrial motions. The court granted this motion under 18 U.S.C. 3161(h)(7) and Bloate v. U.S., 2010 WL 757660 (U.S.) and finds that the ends of justice are served by granting this request which outweighs the best interest of the public and the defendant in a speedy trial and the time period from the arraignment to the motions deadline of \_\_\_\_\_ is excluded under the Speedy Trial Act.

**DETENTION:**

- ( ) Detention Hearing ( ) Held ( ) Waived  
( ) Government motion for detention:  
( ) Granted ( ) Denied ( ) Motion to Withdraw  
( ) Detention Ordered ( ) Remanded  
( ) Bond set \_\_\_\_\_  
( ) Special Conditions of Release  
(X) Defendant continued on previous bond  
( ) Additional Conditions of Release  
( ) Defendant failed to appear  
( ) Government motion for warrant -Granted

**ORDERS:**

- (X) Agreed Discovery/Protective Order Entered  
(X) Defendant consented to video proceedings. Order  
entered and filed

**PRELIMINARY HEARING:**

- ( ) Preliminary Hearing ( ) Held ( ) Waived  
( ) Defendant stipulated to probable cause  
( ) Court finds probable cause  
( ) Defendant held for Grand Jury

**SPEEDY TRIAL:**

- (X) By agreement of all parties, due to the  
complexity of the case and/or in the  
interest of justice, pursuant to 18 USC  
3161(h), speedy trial is waived